

Registered
Most Immediate

From

The Additional Chief Secretary to Govt. Haryana,
Home Department.

To

1. All the District Magistrates in Haryana.
2. The Joint Commissioner of Police,
Faridabad & Gurgaon.
3. The Deputy Commissioner of Police,
Panchkula.

Memo No. 3/365/2012-2HG-III

Dated, Chandigarh the 2/3/2017

**Subject:- Clarification regarding Rule 19 of the Arms Rules 2016
regarding extension of area validity of arms licence.**

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In Continuation with the Government even Memo No. dated
28.09.2016 on the subject noted above.

2. Please find enclosed herewith a copy of Letter No. V-
11026/127/2016-Arms dated 27.01.2017 clarification regarding extension of area
validity of Arms licence received from Govt. of India, MHA for
compliance/necessary action.

Ranvir Singh
2/3/17
Superintendent Home-III,
for Additional Chief Secretary to Govt., Haryana,
Home Department. *32*
2/3/17

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चक्रांत
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परिचालन शाखा नं.

No. V-11026/127/2016-Arms
Government of India
Ministry of Home Affairs
IS-II Division: Arms Section

1st Floor, NDCC-II Building,
Jai Singh Road, New Delhi 110 001
Dated 27th January, 2017

To
The Secretary (Home) of
all State Governments/ UT Administrations

Subject: Clarification regarding Rule 19 of the Arms Rules 2016 regarding extension of area validity of arms licence.

Sir/ Madam,

SP
8945

This Ministry is in receipt of queries from some State Governments/ UT Administrations regarding proposals related to grant of extension of area validity for whole of India for an arm licence.

2. In view of clarifications sought on the issue of area validity, category of weapon and the instructions issued by Ministry of Home Affairs, Govt. of India vide letter No. V-11016/16/2009-Arms dated 31st March 2010, the matter is further clarified as under:

Acc Home
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(i) As per Rule 19 of the Arms Rules 2016, licensing authority is the competent authority for grant of extension of area validity regarding an individual arm licence, for whole of India or any specified part thereof. Provided that the licensing authority has the power to grant a licence in relation to the area to which extension is being sought.

SH-I (arm)
6/2/17

Additional Chief Secretary Home
File No. 2481
Dated 6/2/17
Haryana

(ii) For category of Prohibited Bore (Referred as Restricted Arms and as category I (b) & I (c) in the Arms Rules 2016), the licensing authority is the Central Government (MHA) and the renewing authority is District Magistrate. Hence, the competent authority for extension of area validity for whole of India or any specified part thereof in such cases is M/o Home Affairs, Government of India. For Prohibited arms (Referred as category I (a) in the Arms Rules 2016, the licensing authority and renewing authority is Central Government (MHA).

SSH/COTI
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(iii) For sub-categories of most of the Non Prohibited Bore (Referred as Permissible Arms and category as III in the Schedule I and II of the Arms Rules 2016), the licensing authority is either District Magistrate or State Government and renewing authority is District Magistrate for the area as specified in column 6 of Schedule II of the Arms Rules 2016. For grant of permissible arms licence with whole of India validity, State Government is the Licencing Authority and renewing authority is District Magistrate with certain exceptions specified under Column 3, Item No.3 of Schedule II of the Arms Rules 2016. Thus, being the licensing authority the State Government is the competent authority for grant of extension of area validity for whole of India (this may be for whole of India or any specified part thereof) for these sub-categories subject to para 2 (i) above. However, it is mentioned in Schedule II that for categories of persons mentioned in Rule 19 (2), the DM may grant extension of area validity upto whole of India with regard to some sub-categories of permissible arms.

SH-II
Pr. Prasad
Incharge
6/2/17
4/4/17

(iv) The guidelines of M/o Home Affairs with regard to extension of area validity issued vide letter No. V-11016/16/2009-Arms dated 31st March, 2010 stand superseded with the issue of the Arms Rules 2016. All the cases relating to extension of area validity of an arm licence may be done in accordance with the provisions of the Arms Act 1959 and the Arms Rules 2016 after satisfying the need/ proper justification for such extension and instructions of Government of India on the issue.

3. The period of validity of individual arm licence may remain for three (3) years provided that such a licence may be granted for a shorter period if the person by whom the licence is required so desires or if the licensing authority for reasons to be recorded in writing considers in any case that the licence should be granted for a shorter period.

4. Some typographical/ translation errors noticed in the Hindi version of the Arms Rules 2016, are being corrected, therefore, till then, in case of any clarification, English Version of the Arms Rules 2016 should be followed.

5. Considering the above said aspects, the concerned State/ UT Governments may formulate their guidelines and instruct the Arms licensing authorities of that State/ UT to act accordingly.

Yours sincerely,



(Rajesh Ranjan)

Under Secretary to the Government of India

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- (i) SO (IT), MHA, North Block, New Delhi- for uploading on the website of MHA
- (ii) DDG, NIC, CGO Complex, New Delhi- for uploading on the website of NIC

"Home General Branch-III

Receipt No. 208

Date 6/02/17